IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2226 of 2007()

(CRIME NO. 84/2007 OF MUHAMMA POLICE STATION)

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PETITIONER/ACCUSED:

SURESH P.S,AGED 24 YEARS,S/O.SUJATHAN, PLANCHIRAYIL,VARANAM P.O,CHERTHALA,ALAPPUZHA.

BY ADV. SRI.C.V.MANUVILSAN
SRI.G.SUDHEER (THURAVOOR)

RESPONDENT/COMPLAINANT:

STATE OF KERALA REPRESENTED BY SI OF POLICE MUHAMMA,THROUGH PUBLIC PROSECUTOR,HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2226 OF 2007

Dated this the 13th day of April, 2007

O R D E R

Petitioner seeks anticipatory bail on the allegation that the Muhamma Police are at his heels at the instance of one Babu, a Police Constable of Cherthala Police Station.

2. Learned Public Prosecutor, on instructions, submitted that the petitioner is an accused in Crime No.84/07 of Muhamma Police Station for offences punishable under sections 323, 324 and 308 IPC.

3. The case of the prosecution is that on 1.4.07 at about 7 p.m. consequent on the petitioner's team winning a volley ball match, Babu, the said Police Constable, who was in a drunken condition behaving in an unrolling manner and on his abusing the mob in filthy language, the mob became violent and the Police Constable was hurting the said occurrence.

4. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for

Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. Petitioner shall not commit any offence while on bail.

e. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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